

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOHN CERASUOLO CO., INC.

Plaintiff

v.

PIO ENTERPRISES, INC.
ANGELO INGRASSIA, JOE FARACI and
PHILIP L. PUCCIA

Defendants

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Civil No. 08cv5334 (LAP)(DCF)

**MOTION FOR
PRELIMINARY INJUNCTION**

Upon the verified affidavit of the representative of the plaintiff, and the accompanying memorandum in support, plaintiff moves the Court to issue a preliminary injunction under Rule 65(b) of the Federal Rules of Civil Procedure enforcing the statutory trust pursuant Section 5(c) of the Perishable Agriculture Commodities Act, 7 U.S.C. §499e(c), by restraining the transfer of any and all trust assets of Pio Enterprises, Inc. except for any payment to plaintiff until there is either full payment to plaintiff of \$50,094.00 pending the final outcome of this action.

Dated this 11th day of June, 2008.

Respectfully submitted

LAW OFFICES OF BRUCE LEVINSON

By: /s/ Gregory Brown

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